

Senate File 2273 - Reprinted

SENATE FILE _____
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 3158)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to financial and regulatory matters by making and
2 revising appropriations for the fiscal year beginning July 1,
3 2005, and providing an effective date.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 5904SV 81
6 jp/sh/8

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1 1 DIVISION I
1 2 EDUCATION
1 3 Section 1. STATE BOARD OF REGENTS == UNIVERSITY OF
1 4 NORTHERN IOWA'S GILCHRIST HALL. There is appropriated from
1 5 the rebuild Iowa infrastructure fund to the state board of
1 6 regents for the fiscal year beginning July 1, 2005, and ending
1 7 June 30, 2006, the following amount, or so much thereof as is
1 8 necessary, to be used for the purpose designated:
1 9 For repair and restoration of Gilchrist hall at the
1 10 university of northern Iowa:
1 11 \$ 2,000,000
1 12 Notwithstanding section 8.33, moneys appropriated in this
1 13 section that remain unencumbered or unobligated at the close
1 14 of the fiscal year shall revert at the close of the fiscal
1 15 year beginning July 1, 2007. However, if the projects for
1 16 which the moneys are appropriated are completed in an earlier
1 17 fiscal year, unencumbered or unobligated moneys shall revert
1 18 at the close of that fiscal year.
1 19 DIVISION II
1 20 HEALTH AND HUMAN SERVICES
1 21 MENTAL HEALTH INSTITUTE AT CLARINDA
1 22 Sec. 2. 2005 Iowa Acts, chapter 175, section 21,
1 23 subsection 2, is amended to read as follows:
1 24 2. For the state mental health institute at Clarinda for
1 25 salaries, support, maintenance, and miscellaneous purposes,
1 26 and for not more than the following full-time equivalent
1 27 positions:
1 28 \$ ~~7,439,591~~
1 29 7,689,591
1 30 FTEs 113.15
1 31 DIVISION III
1 32 JUSTICE SYSTEM
1 33 DEPARTMENT OF CORRECTIONS == FACILITIES
1 34 Sec. 3. 2005 Iowa Acts, chapter 174, section 4, subsection
1 35 1, is amended to read as follows:
2 1 1. There is appropriated from the general fund of the
2 2 state to the department of corrections for the fiscal year
2 3 beginning July 1, 2005, and ending June 30, 2006, the
2 4 following amounts, or so much thereof as is necessary, to be
2 5 used for the purposes designated:
2 6 For the operation of adult correctional institutions,
2 7 reimbursement of counties for certain confinement costs, and
2 8 federal prison reimbursement, to be allocated as follows:
2 9 a. For the operation of the Fort Madison correctional
2 10 facility, including salaries, support, maintenance, and
2 11 miscellaneous purposes:
2 12 \$ ~~38,840,761~~
2 13 40,398,034
2 14 b. For the operation of the Anamosa correctional facility,
2 15 including salaries, support, maintenance, and miscellaneous
2 16 purposes:
2 17 \$ ~~27,199,702~~

2 18 27,345,641
 2 19 Moneys are provided within this appropriation for one full=
 2 20 time substance abuse counselor for the Luster Heights
 2 21 facility, for the purpose of certification of a substance
 2 22 abuse program at that facility.
 2 23 c. For the operation of the Oakdale correctional facility,
 2 24 including salaries, support, maintenance, and miscellaneous
 2 25 purposes:
 2 26 \$ ~~25,650,778~~
 2 27 25,856,042
 2 28 d. For the operation of the Newton correctional facility,
 2 29 including salaries, support, maintenance, and miscellaneous
 2 30 purposes:
 2 31 \$ ~~24,916,132~~
 2 32 25,085,801
 2 33 e. For the operation of the Mt. Pleasant correctional
 2 34 facility, including salaries, support, maintenance, and
 2 35 miscellaneous purposes:
 3 1 \$ ~~23,694,840~~
 3 2 23,779,085
 3 3 f. For the operation of the Rockwell City correctional
 3 4 facility, including salaries, support, maintenance, and
 3 5 miscellaneous purposes:
 3 6 \$ ~~8,039,378~~
 3 7 8,088,024
 3 8 g. For the operation of the Clarinda correctional
 3 9 facility, including salaries, support, maintenance, and
 3 10 miscellaneous purposes:
 3 11 \$ ~~22,853,497~~
 3 12 22,970,960
 3 13 Moneys received by the department of corrections as
 3 14 reimbursement for services provided to the Clarinda youth
 3 15 corporation are appropriated to the department and shall be
 3 16 used for the purpose of operating the Clarinda correctional
 3 17 facility.
 3 18 h. For the operation of the Mitchellville correctional
 3 19 facility, including salaries, support, maintenance, and
 3 20 miscellaneous purposes:
 3 21 \$ ~~13,867,603~~
 3 22 13,935,233
 3 23 i. For the operation of the Fort Dodge correctional
 3 24 facility, including salaries, support, maintenance, and
 3 25 miscellaneous purposes:
 3 26 \$ ~~26,244,693~~
 3 27 26,368,089
 3 28 j. For reimbursement of counties for temporary confinement
 3 29 of work release and parole violators, as provided in sections
 3 30 901.7, 904.908, and 906.17 and for offenders confined pursuant
 3 31 to section 904.513:
 3 32 \$ ~~674,954~~
 3 33 799,954
 3 34 k. For federal prison reimbursement, reimbursements for
 3 35 out-of-state placements, and miscellaneous contracts:
 4 1 \$ ~~241,293~~
 4 2 241,293
 4 2 DEPARTMENT OF CORRECTIONS == ADMINISTRATION
 4 3 Sec. 4. 2005 Iowa Acts, chapter 174, section 5, subsection
 4 4 1, paragraph a, unnumbered paragraph 1, is amended to read as
 4 5 follows:
 4 6 For general administration, including salaries, support,
 4 7 maintenance, employment of an education director to administer
 4 8 a centralized education program for the correctional system,
 4 9 and miscellaneous purposes:
 4 10 \$ ~~2,829,708~~
 4 11 3,454,708
 4 12 STATE PUBLIC DEFENDER
 4 13 Sec. 5. 2005 Iowa Acts, chapter 174, section 10,
 4 14 subsection 2, is amended to read as follows:
 4 15 2. For the fees of court-appointed attorneys for indigent
 4 16 adults and juveniles, in accordance with section 232.141 and
 4 17 chapter 815:
 4 18 \$ ~~21,163,082~~
 4 19 25,163,082
 4 20 DEPARTMENT OF PUBLIC SAFETY
 4 21 Sec. 6. 2005 Iowa Acts, chapter 174, section 14,
 4 22 subsections 1 and 2, are amended to read as follows:
 4 23 1. For the department's administrative functions,
 4 24 including the criminal justice information system, and for not
 4 25 more than the following full-time equivalent positions:
 4 26 \$ ~~3,073,274~~
 4 27 3,473,274
 4 28 FTEs 38.00

4 29 2. For the division of criminal investigation and bureau
 4 30 of identification, including the state's contribution to the
 4 31 peace officers' retirement, accident, and disability system
 4 32 provided in chapter 97A in the amount of 17 percent of the
 4 33 salaries for which the funds are appropriated, to meet federal
 4 34 fund matching requirements, and for not more than the
 4 35 following full-time equivalent positions:
 5 1 \$ ~~14,760.898~~
 5 2 15,760.898
 5 3 FTEs ~~228.50~~
 5 4 257.50

5 5 DIVISION IV
 5 6 MISCELLANEOUS

5 7 Sec. 7. Section 7D.29, Code 2005, is amended to read as
 5 8 follows:

5 9 7D.29 PERFORMANCE OF DUTY == EXPENSE.

5 10 1. The executive council shall not employ others, or incur
 5 11 any expense, for the purpose of performing any duty imposed
 5 12 upon the council when the duty may, without neglect of their
 5 13 usual duties, be performed by the members, or by their regular
 5 14 employees, but, subject to this limitation, the council may
 5 15 incur the necessary expense to perform or cause to be
 5 16 performed any legal duty imposed on the council, and pay the
 5 17 same out of any money in the state treasury not otherwise
 5 18 appropriated.

5 19 2. At least two weeks prior to the executive council's
 5 20 approval of a payment authorization under this section, the
 5 21 secretary of the executive council shall notify the
 5 22 legislative services agency that the authorization request
 5 23 will be considered by the executive council and shall provide
 5 24 background information justifying the request.

5 25 3. The duties of the executive council under subsection 1
 5 26 shall include but are not limited to the authority provided by
 5 27 this subsection. If repairs to state property are necessary
 5 28 on an emergency basis in order to address health or safety
 5 29 considerations and if sufficient funds for making the repairs
 5 30 have not been appropriated to the state department responsible
 5 31 for the state property or are not otherwise available for such
 5 32 purposes within the budget of the state department, the
 5 33 executive council may authorize payment for the expenses
 5 34 needed by the state department for repairing the state
 5 35 property. This subsection is repealed June 30, 2008.

6 1 Sec. 8. Section 476C.3, subsection 3, Code Supplement
 6 2 2005, is amended to read as follows:

6 3 3. A facility that is not operational within eighteen
 6 4 months after issuance of an approval for the facility by the
 6 5 board shall cease to be an eligible renewable energy facility.
 6 6 However, a wind energy conversion facility that is approved as
 6 7 eligible under this section but is not operational within
 6 8 eighteen months due to the unavailability of necessary
 6 9 equipment shall be granted an additional twelve months to
 6 10 become operational. A facility that is granted and thereafter
 6 11 loses approval may reapply to the board for a new
 6 12 determination.

6 13 DIVISION V
 6 14 EFFECTIVE DATE

6 15 Sec. 9. EFFECTIVE DATE. This Act, being deemed of
 6 16 immediate importance, takes effect upon enactment.

6 17 SF 2273

6 18 jp:mg/cc/26